61

AF

OIPE

JAN 14 2005

PATENT & TRADEMARK OFFICE

TRANSMITTAL OF APPEAL BRIEF (Large Entity)

Docket No. ITL.0274US

In Re Application Of: **Edward O. Clapper**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/409,128	September 30, 1999	K. Bui	21906	2611	4951

RECEIVED

JAN 26 2005

Technology Center 2600

Invention: **Linking to Video Information**

COMMISSIONER FOR PATENTS:

Transmitted herewith in triplicate is the Appeal Brief in this application, with respect to the Notice of Appeal filed on **November 16, 2004.**

The fee for filing this Appeal Brief is: NO FEE IS BELIEVED TO BE DUE

☐ A check in the amount of the fee is enclosed.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **20-1504**

☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Signature

Dated: **January 11, 2005**

Timothy N. Trop, Reg. No. 28,994
Trop, Pruner & Hu, P.C.
8554 Katy Freeway, Suite 100
Houston, Texas 77024
(713) 468-8880
(713) 468-8883 (fax)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

January 11, 2005
(Date)

Signature of Person Mailing Correspondence

Cynthia L. Hayden

Typed or Printed Name of Person Mailing Correspondence

cc:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Edward O. Clapper	§	Group Art Unit:	2611
Serial No.:	09/409,128	§	Examiner:	K. Bui
Filed:	September 30, 1999	§		
For:	Linking to Video Information	§	Atty. Dkt. No.:	ITL.0274US P7597

Mail Stop **Appeal Brief-Patents**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF

Date of Deposit: January 11, 2005
I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Cynthia L. Hayden

Cynthia L. Hayden

TABLE OF CONTENTS

REAL PARTY IN INTEREST

The real party in interest is the assignee Intel Corporation.

RELATED APPEALS AND INTERFERENCES

None.

STATUS OF CLAIMS

Claims 1-8 (Rejected).

Claim 9 (Canceled).

Claims 10-17 (Rejected).

Claim 18 (Canceled).

Claims 19-25 (Rejected).

Claims 26-30 (Canceled).

Claims 1-8, 10-17, and 19-25 are rejected and are the subject of this Appeal Brief.

STATUS OF AMENDMENTS

All amendments have been entered.

SUMMARY OF CLAIMED SUBJECT MATTER

Claim 1 calls for selecting other information by accessing a particular location on a frame of video being played back. As described in the specification, when the user selects a given location and frame of an image currently being displayed on the system, the system memory may record the selected located and its frame. The memory 72 may then access associated information, which is stored on the medium 70, to display additional information. See the specification at page 7, lines 17-22.

The claim calls for automatically pausing the video playback when the other information is accessed by selecting a location on the frame. As explained in connection with Figure 5 and block 60, a pause function may be automatically activated in response to a user's selection of a given location of a particular frame. See the specification at page 14, lines 1-11.

Finally, other information is provided while said video information is paused. See block 64 of Figure 5 and the discussion in the specification age page 14, lines 12, through page 15, line 5.

Claim 11 corresponds to claim 1 but in software format. The software is explained, for example, in Figure 5 in the previously cited portion of the specification.

Claim 20 is a system claim that corresponds to the previous claims in system format. Claim 20 recites a processor and a storage. The processor may be the item 150 in Figure 7 and the storage may be the hard disk drive 168 which stores the software 48 also shown in Figure 5. See the specification at page 16, line 1, through page 17, line 2.

At this point, no issue has been raised that would suggest that the words in the claims have any meaning other than their ordinary meanings. Nothing in this section should be taken as an indication that any claim term has a meaning other than its ordinary meaning.

GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

A. Are Claims 1-8, 10-17, and 19-25 Anticipated by Astiz?

ARGUMENT

A. Are Claims 1-8, 10-17, and 19-25 Anticipated by Astiz?

Currently pending claim 1 calls for automatically pausing the video playback when the other information is accessed by selecting a location on the frame. This is not shown in the cited Astiz reference.

The Examiner explicitly admitted in Paper No. 18 that this feature was not shown in the Astiz reference. There, at page 3, it is stated "Astiz does not disclose the steps of receiving a video stream, and pausing said video stream 'when accessing said other information.'" Thus, the final rejection is directly contrary to the previous office action. There is nothing in Astiz which teaches automatically pausing the video playback when the other information is accessed.

Figure 9 of Astiz and the material associated therewith simply indicates that a user operated pause may be implemented. There is nothing automatic about that pause and there is certainly nothing about automatically implementing that pause when other information is accessed. All that is stated in column 12, lines 39-44, is that the user may select an option to implement a pause feature. When the user might choose to operate the pause feature is nowhere explained.

Moreover, the claim causes for automatically implementing the pause when the other information is accessed. Even if the user were to automatically implement that pause in association with accessing the other information (which does not happen in Astiz), this postulated operation still would not meet the claim limitation of automatically pausing the video playback when the other information is accessed by selecting a location on the frame.

In other words, merely providing a pause feature does not meet the specific limitations of the second clause of claim 1. That clause requires automatic pausing and requires that that automatic pausing occur at a specific time. That time is "when the other information is accessed by selecting a location on the frame." A mere teaching of a user implemented pause cannot teach automatic pausing. Moreover, it cannot teach automatic pausing "when the other information is accessed by selecting a location on the frame."

Applicant respectfully requests that each of the final rejections be reversed and that the claims subject to this Appeal be allowed to issue.

Respectfully submitted,

Date: January 11, 2005

Timothy N. Trop, Reg. No. 28,994
TROP, PRUNER & HU, P.C.
8554 Katy Freeway, Ste. 100
Houston, TX 77024
713/468-8880 [Phone]
713/468-8883 [Fax]

CLAIMS APPENDIX

The claims on appeal are:

1. A method comprising:

selecting other information by accessing a particular location on a frame of video being played back;

automatically pausing the video playback when the other information is accessed by selecting a location on the frame; and

providing the other information while said video playback is paused.

2. The method of claim 1 including defining a display grid system and specifying at least one location in said grid system using coordinates.

3. The method of claim 2 including developing a frame identifier using a time code.

4. The method of claim 1 including linking to other information without encoding a hyperlink into the video information.

5. The method of claim 1 including linking to other information on the same medium that stores said video information.

6. The method of claim 1 including linking video information on one processor-based system to other information on a separate processor-based system.

7. The method of claim 1 wherein accessing said other information includes using a pointing device to select a location on a frame.

8. The method of claim 7 wherein using a pointing device includes using a remote control unit.

10. The method of claim 1 including automatically resuming the playback of said video when the other information is no longer being accessed.

11. An article storing instructions that, if executed, enable a processor-based system to:

select other information by accessing a particular location on a frame of video being played back;

automatically pause the video playback when the other information is accessed by selecting a location on the frame; and

provide the other information while said video playback is paused.

12. The article of claim 11 further storing instructions that cause a processor-based system to define a grid system on each frame and specify at least one location in said frame using a coordinate system.

13. The article of claim 12 further storing instructions that cause a processor-based system to develop a frame identifier using a time code.

14. The article of claim 11 further storing instructions that cause a processor-based system to link to other information without an encoded hyperlink in the video.

15. The article of claim 11 further storing instructions that cause a processor-based system to link to other information on the same medium that stores said video.

16. The article of claim 11 further storing instructions that cause a processor-based system to link video information on one processor-based system to other information on a separate processor-based system.

17. The article of claim 11 further storing instructions that cause a processor-based system to receive signals from a pointing device to select a location on a frame.

19. The article of claim 11 further storing instructions that cause a processor-based system to resume the playback of said video when the other information is no longer being accessed.

20. A processor-based system comprising:

a processor;

a storage coupled to said processor, storing software to select other information by accessing a particular location on a frame of video being played back, automatically pause the video playback when the other information is accessed by selecting a location on the frame, and provide the other information while said video playback is paused.

21. The system of claim 20 including a pointing device to enable the user to select a frame and frame location.

22. The system of claim 20 wherein said storage stores a coordinate system for identifying locations on a frame.

23. The system of claim 20 wherein the software identifies a frame using a time code.

24. The system of claim 20 wherein said software links to information stored outside said processor-based system.

25. The system of claim 20 wherein said software links to information stored on said system.